

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,
A Delaware Corporation,

Plaintiff,

No. CIV S-00-0113 LKK JFM

vs.

(Consolidated)

VALLEY INDUSTRIAL SERVICE, INC.,
a former California corporation, et al.,

Defendants.

ORDER

HUHTAMAKI FOODSERVICE, INC.,

Plaintiff,

vs.

AMERIPRIDE SERVICES, INC., et al.,

Defendants.

Plaintiff Huhtamaki and Defendant AmeriPride's motions to compel came on regularly for hearing December 8, 2005. Plaintiff Huhtamaki was represented by Stephen J. Darmody. Scott J. Kaplan and Lilly Santaniello appeared for defendant Ameripride. Lee N. Smith also appeared telephonically for defendant Ameripride. Upon review of the motions and the documents in support and opposition, upon hearing from counsel and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

1 Plaintiff Huhtamaki confirmed that defendant Ameripride had agreed to provide
2 additional documents responsive to the discovery requests at issue herein. The only remaining
3 issues were the privilege log and the deadline by which production must occur. After discussion,
4 defendant Ameripride agreed to produce the records and the appropriately detailed privilege log
5 on or before January 15, 2006.

6 Defendant Ameripride then argued its motion to compel and plaintiff Huhtamaki
7 objected that no meet and confer had taken place on the questions to which Huhtamaki had
8 objected during certain depositions. Counsel was directed to confer outside the courtroom during
9 the pendency of the court's calendar to discuss resolution of defendant's motion.

10 When counsel returned, counsel declared the motion resolved at the present time
11 and the motion to compel was withdrawn.

12 Accordingly, IT IS HEREBY ORDERED that:

13 1. Defendant AmeriPride's October 3, 2005 motion to compel, as revised by the
14 December 1, 2005 supplemental joint statement, is withdrawn.

15 2. Plaintiff Huhtamaki's October 3, 2005 motion to compel, as revised by the
16 December 1, 2005 supplemental joint statement and in open court, is partially granted.
17 Defendant AmeriPride shall provide further discovery responses and a privilege log on or before
18 January 15, 2006.

19 DATED: December 8, 2005.

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22 UNITED STATES MAGISTRATE JUDGE

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